

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

HEADWATER RESEARCH LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD. and
SAMSUNG ELECTRONICS AMERICA,
INC.,

Defendants.

Civil Action No. 2:23-cv-00641-JRG-RSP

JURY DEMANDED

CORRECTED JOINT MOTION TO AMEND DOCKET CONTROL ORDER

Plaintiff Headwater Research, LLC (“Headwater”) and Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, “Samsung”) (all together, the “parties”) respectfully file this Corrected Joint Motion to Amend the Docket Control Order¹ entered in the above-captioned case and would show the Court as follows:

The parties have been diligently working to complete discovery but have encountered unavoidable conflicts and other circumstances that provide good cause to modify the schedule as set forth in Exhibit A. The parties are on track to complete nearly all party and third-party depositions in advance of the current close of fact discovery. However, a notable exception is that the previously scheduled deposition of Plaintiff’s sole 30(b)(6) witness, Dr. Greg Raleigh, needed to be postponed due to illness, and the first mutually available date for Samsung’s counsel and Dr. Raleigh is May 23, 2025. Because that deposition will occur after the current deadline for opening expert reports and the parties wish to avoid burdening the Court and one another with motions

¹ The parties are submitting this as a corrected joint motion because they discovered errors in two of the dates set forth in the proposed order filed with the original motion (Dkt. 123-1). Those dates have been corrected in the revised proposed order filed herewith.

practice regarding supplementation of expert reports, the parties respectfully seek a brief extension of the expert report deadlines and, relatedly, a three-day extension to the deadline for dispositive motions and *Daubert* motions. This short extension to the dispositive/*Daubert* motions deadline would still ensure that briefing is completed on July 31, 2025, which is 33 days before the Pretrial Conference scheduled for September 2, 2025.

Accordingly, the parties respectfully request that the Court grant this Joint Motion and enter the accompanying Third Amended Docket Control Order. *See* Ex. A.

Dated: May 14, 2025

/s/ Thad C. Kodish

Ruffin B. Cordell
TX Bar No. 04820550
Michael J. McKeon
DC Bar No. 459780
mckeon@fr.com
FISH & RICHARDSON P.C.
1000 Maine Avenue, SW, Ste 1000
Washington, D.C. 20024
Telephone: (202) 783-5070
Facsimile: (202) 783-2331

Thad C. Kodish
GA Bar No. 427603
tkodish@fr.com
Christopher O. Green
GA Bar No. 037617
cgreen@fr.com
Sara C. Fish
GA Bar No. 873853
FISH & RICHARDSON P.C.
1180 Peachtree St. NE, Fl. 21
Atlanta, GA 30309
Telephone: (404) 892-5005
Facsimile: (404) 892-5002

Melissa R. Smith
State Bar No. 24001351
Melissa@gillamsmithlaw.com

Respectfully submitted,

/s/ Marc Fenster

Marc Fenster
CA State Bar No. 181067
Reza Mirzaie
CA State Bar No. 246953
Brian Ledahl
CA State Bar No. 186579
Ben Wang
CA State Bar No. 228712
Paul Kroeger
CA State Bar No. 229074
Neil A. Rubin
CA State Bar No. 250761
Kristopher Davis
CA State Bar No. 329627
James S. Tsuei
CA State Bar No. 285530
Philip Wang
CA State Bar No. 262239
James Milkey
CA State Bar No. 281283
Jason M. Wietholter
CA State Bar No. 337139
RUSS AUGUST & KABAT
12424 Wilshire Blvd. 12th Floor
Los Angeles, CA 90025
Telephone: 310-826-7474
rak_headwater@raklaw.com

GILLAM & SMITH, LLP
303 South Washington Avenue
Marshall, Texas 75670
Telephone: (903) 934-8450
Facsimile: (903) 934-9257

Andrew Thompson (“Tom”) Gorham
State Bar No. 24012715
tom@gillamsmithlaw.com
GILLAM & SMITH, LLP
102 N. College, Ste. 800
Tyler, Texas 75702
Telephone: (903) 934-8450
Facsimile: (903) 934-9257

***Attorneys for Defendants,
Samsung Electronics Co., Ltd. and
Samsung Electronics America, Inc.***

Andrea L. Fair
TX State No. 24078488
MILLER FAIR HENRY PLLC
1507 Bill Owens Parkway
Longview, Texas 75604
Telephone: 903-757-6400
andrea@millerfairhenry.com

***Attorneys For Plaintiff,
Headwater Research LLC***

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served this 14th day of May 2025, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Marc Fenster
Marc Fenster

CERTIFICATE OF CONFERENCE

The undersigned certifies that counsel complied with the requirements of Eastern District of Texas Local Rule CV-7(h). The parties are in agreement on filing this Joint Motion.

/s/ Marc Fenster
Marc Fenster